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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/432,087	11/02/1999	TAKESHI MISAWA	0879-0242P	9612
7590	01/18/2005		EXAMINER VORTMAN, ANATOLY	
BIRCH STEWART KOLASCH & BIRCH LLP P O BOX 747 FALLS CHURCH, VA 220400747			ART UNIT 2835	
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DATE MAILED: 01/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/432,087

Applicant(s)

MISAWA, TAKESHI

Examiner

Anatoly Vortman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2004.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 9-17 and 24-31 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-7, 9-17 and 24-31 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

DETAILED ACTION

Amendment

1. By amendment filed on 11/29/04, independent claims 1, 13, 14, 15, 16, and 17, have been amended to include the subject matter of previously rejected dependent claim 8. Claim 27 has been amended in an attempt to correct 35 USC 112, second paragraph problem, and claims 18-23 have been cancelled earlier. Thus, claims 1-7, 9-17, and 24-31 are pending in the instant application.

37 C.F.R. 1.131 Declaration

2. The Declaration filed on 11/29/04 under 37 CFR 1.131 has been considered but is ineffective to overcome the US/6,417,884 to Chang et al. reference. The Exhibit presented along with the Declaration lacks any evidence that it was prepared at least as early as August 12, 1998, which is the effective filing date of the Chang's et al. reference. The Examiner was not able to locate any data stamp, or any other reference as to the date, when the documents presented in the Exhibit have been originally prepared. Hence, the US/6,417,884 to Chang et al. is remaining to be as valid reference and is treated as prior art in the instant Office action.

Claim Rejections - 35 USC § 112

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3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 27 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 27 as amended, recites the limitation "a slot". There is insufficient antecedent basis for this limitation in the claim, since said "slot" had not been positively set forth neither in the parent claim nor in the dependent claim. It is not clear how said "slot" relates to the remaining structure of the device.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-6, 9, 11, 13-15, 24, 25, 27, and 31 are rejected under 35 U.S.C. 102(e) as being anticipated by US/6,417,884 to Chang et al., (Chang).

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Regarding claims 1, 4, 5, and 13, Chang disclosed (Fig. 1-3) a personal computer, comprising: a base unit (14); an input part (a keyboard) arranged on the base unit (14), the input part having an operation face; a display unit (12) having a display face (11), the display unit being operatively interconnected (hinged) to the base unit in a state that the display face (11) forms an angle less than 180° with the operation face when the personal computer is in use; and a chamber (13) capable of accepting a removable external device (3) enhancing a function of the personal computer, the chamber being arranged in the display unit (12), wherein the display unit (12) comprises a cutout part so that whether the external device (3) is inserted in the chamber (13) can be determined by seeing through the cutout part (Fig. 2, 3).

Regarding claim 15, Chang disclosed (Fig. 1-3) an apparatus for interfacing a computer (1) with a removable external device (3), the apparatus comprising: a display unit (12) coupled to the computer (1), the display unit (12) having a display face (11) and being movably coupled to a base unit (14) such that the display face (11) forms an angle generally less than 180° with the base unit (14); and a chamber (13) having a predetermined depth, the chamber disposed in the display unit (12), the chamber (13) having an electrical connection (21), the chamber configured to accept at least a portion of the removable external device (3) such that an electrical connection can be established between the computer (1) and the removable external device (3), wherein the display unit (12) comprises a cutout part so that whether the external device (3) is inserted in the chamber (13) can be determined by seeing through the cutout part (Fig. 2, 3).

Regarding claim 31, Chang disclosed (Fig. 1-3) a device (3) for interacting with a personal computing apparatus (1), the device comprising: a portion (31) for removably electrically connecting to a personal computer (1); and a camera (34) positioned opposite of the

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portion (31) for removably electrically connecting to the personal computer (1) on the device (3), wherein when the device (3) is interacting with the personal computer (1), a view from the lens (36) of the camera (34) is substantially perpendicular to a direction of insertion of the device (3) into the personal computer (1).

Regarding claims 2 and 3, Chang disclosed that said hinged display unit (12) is capable of closing the display face (11) and the operational face when computer is not in use (i.e. closed).

Regarding claim 6 and 8, Chang disclosed (Fig. 2) that said chamber (13) opens at a top side of the display unit (12).

Regarding claim 9, Chang disclosed that the input part is a keyboard (Fig. 1).

Regarding claim 11, and as best understood, regarding claim 27, Chang disclosed that said external device (3) is a camera (34), which interacts with the personal computer (1) when inserted in the chamber (13).

Regarding claim 14, the method steps recited in the claim are inherently necessitated by the device structure as disclosed by Chang.

Regarding claims 24 and 25, Chang disclosed that the removable device (3) may be interchangeably removed from the personal computer without the disassembly of the personal computer (Fig. 2, 3).

7. Claims 16, 17, 29, and 30, are rejected under 35 U.S.C. 102(b) as being anticipated by US/5,440,449 to Scheer.

Regarding claim 16, Scheer disclosed (Fig. 1, 4, 8, and 9) an apparatus for interfacing a computer with a removable external device (12,14), the apparatus comprising: a display unit (10)

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coupled to the computer, the display unit (10) having a display face (13) and being movably coupled to a base unit (9) such that the display face (13) forms an angle generally less than 180° with the base unit (9); and a chamber (19) formed inside the display unit (10), the chamber (19) having walls capable of covering the bottom side, a left and right side, and a front and back side of the removable external device (14), the chamber having an opening disposed on the outside of the display unit configured to adaptably receive the removable external device (12, 14), wherein the display unit (10) comprises a cutout part (the cutout part is not numbered, but can be clearly seen on Fig. 9 accepting portion (34) of the removable external device (12, 14)) so that whether the external device (12, 14) is inserted in the chamber (19) can be determined by seeing through the cutout part (Fig. 9).

Regarding claim 17, 29, and 30, the method steps recited in the claims are inherently necessitated by the device structure as disclosed by Scheer.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Regarding claims 10, 12, 26, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang taken with US/5,440,449 to Scheer.

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Chang disclosed all, but that said external device is a memory card or a wireless communication device.

Scheer disclosed (Fig. 1, 4, 8, and 9) an apparatus for interfacing a computer with a removable external device (12), a chamber (19) formed inside a display unit (10), the chamber (19) having an opening disposed on the outside of the display unit (10) and configured to receive the removable external device (12), wherein the removable device is a memory card (14) and / or a wireless communication device (27).

Since the inventions of Chang and of Sheer are from the same field of endeavor (portable computers), the purpose of the removable memory card or of the wireless communication device disclosed by Scheer would be recognized in the invention of Chang.

It would have been obvious to a person of ordinary skill in the computer art at the time the invention was made to modify said computer of Chang so as to enable it to additionally accept either memory card or wireless communication device as taught by Scheer in order to diversify the capabilities of the Chang computer and to adapt it for a particular application, which would require for the computer to have wireless communication capabilities and / or additional memory resources.

10. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over either Chang or Scheer alone or each taken with US/5,043,721 to May.

Chang or Scheer disclosed all, but that the chamber opens at a lateral side of the display unit.

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It would have been obvious to move the opening of the chamber in computers of Chang or Scheer to any desirable location on the periphery of the display unit including the lateral side of the display in order to enhance the convenience of for a user, since such a modification would not involve any change in the way the device is operating. It has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ 70.

Alternatively, May disclosed (Fig. 1) a portable computer (12) having an opening of a chamber (15) for accepting an auxiliary device (10) located on a lateral side of a display unit (21).

It would have been obvious to a person of ordinary skill in the computer art at the time the invention was made to modify computers of Chang or Scheer so as to move the opening of the chambers to a lateral side of the display unit as taught by Ma in order to enhance the convenience of for a user.

Claim Rejections - 35 USC § 102

11. Alternatively, claims 1-6, 9, 12-15, 24, 25, and 28, are rejected under 35 U.S.C. 102(b) as being clearly anticipated by US/5,440,449 to Scheer.

Scheer disclosed (Fig. 1-9) a device structure as recited in the claims, including a display unit (10) comprising a cutout part (the cutout part is not numbered, but can be clearly seen on Fig. 9 accepting portion (34) of the removable external device (12, 14)) so that whether the external device (12, 14) is inserted in the chamber (19) can be determined by seeing through the cutout part (Fig. 9).

Response to Arguments

12. The Applicant's arguments have been considered, but they are not persuasive. Regarding claim 11, the Applicant contends that Scheer patent does not teach a "camera" (see paragraph 3 on p. 13 of the Amendment). The Examiner would like to direct the Applicant's attention to the fact, that Scheer had never been applied for rejection of claim 11. Thus, the arguments regarding claim 11 are moot.

Also, regarding the reference of Scheer, the Applicant contends that Scheer does not teach "a display unit wherein the display unit comprises at least one of a cutout part and a transparent part so that whether the external device is inserted in the chamber can be determined by seeing through the at least one of the cutout part and the transparent part" (see p. 12, last paragraph of the Amendment). The Examiner would like to reiterate that as it was shown in the rejection above, Scheer disclosed (Fig. 1-9) a device structure, including a display unit (10) comprising a cutout part (the cutout part is not numbered, but can be clearly seen on Fig. 9 accepting portion (34) of the removable external device (12, 14)) so that whether the external device (12, 14) is inserted in the chamber (19) can be determined by seeing through the cutout part (Fig. 9).

The remaining Applicant's arguments are moot in view of the new grounds of rejection.

Conclusion

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13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anatoly Vortman whose telephone number is 571-272-2047. The examiner can normally be reached on Monday-Friday, between 10:00 am and 6:30 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Lynn Feild can be reached on 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AV

A handwritten signature in black ink, appearing to read 'A. Vortman', followed by a long horizontal flourish line.

Anatoly Vortman
Primary Examiner
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